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on which the order of the Environmental Appeals Board is based.

(2) [Reserved]

[50 FR 35388, Aug. 30, 1985, as amended at 50 FR 53467, Dec. 31, 1985; 55 FR 46630, Nov. 5, 1990; 57 FR 5333, Feb. 13, 1992]

§ 86.1116-87 Treatment of confidential information.

(a) Any manufacturer may assert that some or all of the information submitted pursuant to this subpart is entitled to confidential treatment as provided by 40 CFR part 2, subpart B.

(b) Any claim of confidentiality must accompany the information at the time it is submitted to EPA.

(c) To assert that information submitted pursuant to this subpart is confidential, a manufacturer must indicate clearly the items of information claimed confidential by marking, circling, bracketing, stamping, or otherwise specifying the confidential information. Furthermore, EPA requests, but does not require, that the submitter also provide a second copy of its submittal from which all confidential information has been deleted. If a need arises to publicly release nonconfidential information, EPA will assume that the submitter has accurately deleted the confidential information from this second copy.

(d) If a claim is made that some or all of the information submitted pursuant to this subpart is entitled to confidential treatment, the information covered by that confidentiality claim will be disclosed by the Environmental Appeals Board only to the extent and by means of the procedures set forth in part 2, subpart B, of this chapter.

(e) Information provided without a claim of confidentiality at the time of submission may be made available to the public by EPA without further notice to the submitter, in accordance with 40 CFR 2.204(c)(2)(i)(A).

[50 FR 34798, Aug. 27, 1985, as amended at 57 FR 5334, Feb. 13, 1992]

40 CFR Ch. I (7-1-10 Edition)

Subpart M—Evaporative Emission Test Procedures for New Gasoline-Fueled, Natural Gas-Fueled, Liquefied Petroleum Gas-Fueled and Methanol-Fueled Heavy-Duty Vehicles

AUTHORITY: Secs. 202, 206, 301, Clean Air Act as amended, 42 U.S.C. 7521, 7525, 7601.

SOURCE: 48 FR 1456, Jan. 12, 1983, unless otherwise noted.

§ 86.1201-90 Applicability.

(a) The provisions of this subpart are applicable to new gasoline-fueled, natural gas-fueled, liquefied petroleum gas-fueled and methanol-fueled heavy-duty vehicles.

(b) Provisions of this subpart apply to tests performed by both the Administrator and motor vehicle manufacturers.

(c) Test procedures and equipment other than those described in this subpart may be used by the vehicle manufacturer if shown to yield results which correlate with results yielded by those described in this subpart (with the reference driving schedule described in § 86.1215-85(a)) and if approved in advance by the Administrator.

[54 FR 14562, Apr. 11, 1989, as amended at 59 FR 48521, Sept. 21, 1994]

§ 86.1202-85 Definitions.

Applicable definitions in §§ 86.077-2, 86.078-2, 86.079-2, 86.080-2, 86.081-2, 86.082-2 and 86.085-2 apply to this subpart.

§ 86.1203-85 Abbreviations.

The abbreviations in § 86.079-3 apply to this subpart.

§ 86.1204 Section numbering.

The section numbering system set forth in § 86.104 applies to this subpart.

[59 FR 48521, Sept. 21, 1994]

§ 86.1205-90 Introduction; structure of subpart.

(a) This subpart describes the equipment required and the procedures to follow in order to determine evaporative emission levels from gasoline-

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fueled, natural gas-fueled, liquefied petroleum gas-fueled and methanol-fueled heavy-duty vehicles.

(b) Three topics are addressed in this subpart. Sections 86.1206 through 86.1215 set forth specifications and equipment requirements; §§86.1216 through 86.1226 discuss calibration methods and frequency; test procedures and data requirements are listed in §§86.1227 through 86.1246.

[54 FR 14562, Apr. 11, 1989, as amended at 58 FR 16047, Mar. 24, 1993; 59 FR 48521, Sept. 21, 1994]

§ 86.1206–96 Equipment required; overview.

This subpart specifies procedures for testing of gasoline-fueled, natural gas-fueled, liquefied petroleum gas-fueled and methanol-fueled heavy-duty vehicles. Equipment required and specifications are as follows:

(a) *Evaporative emission tests.* Section 86.1207 specifies the necessary equipment.

(b) *Fuel, analytical gas, and driving schedule specifications.* Fuel specifications for emission testing and for service accumulation are specified in §86.1213. Analytical gases are specified in §86.1214. Evaporative testing requires vehicle operation on a chassis dynamometer. The driving cycle is specified in §86.1215.

[58 FR 16047, Mar. 24, 1993, as amended at 59 FR 48521, Sept. 21, 1994; 65 FR 59957, Oct. 6, 2000]

§ 86.1207–96 Sampling and analytical systems; evaporative emissions.

(a) *Testing enclosures—(1) Diurnal emission test.* The enclosure shall be readily sealable, rectangular in shape, with space for personnel access to all sides of the vehicle. When sealed, the enclosure shall be gas tight in accordance with §86.1217–96. Interior surfaces must be impermeable and nonreactive to hydrocarbons (and to methanol, if the enclosure is used for methanol-fueled vehicles). The temperature conditioning system shall be capable of controlling the internal enclosure air temperature to follow the prescribed temperature versus time cycle as specified in §86.1233–96 and appendix II of this part, within an instantaneous tolerance of ± 3.0 °F of the nominal tem-

perature versus time profile throughout the test, and an average tolerance of 2.0 °F over the duration of the test (where the average is calculated using the absolute value of each measured deviation). The control system shall be tuned to provide a smooth temperature pattern that has a minimum of overshoot, hunting, and instability about the desired long-term ambient temperature profile. Interior surface temperatures shall not be less than 40 °F at any time during the diurnal emission test. To accommodate the volume changes due to enclosure temperature changes, either a variable-volume or fixed-volume enclosure may be used for diurnal emission testing:

(i) *Variable-volume enclosure.* The variable-volume enclosure expands and contracts in response to the temperature change of the air mass in the enclosure. Two potential means of accommodating the internal volume changes are moveable panel(s), or a bellows design, in which impermeable bag(s) inside the enclosure expand and contract in response to internal pressure changes by exchanging air from outside the enclosure. Any design for volume accommodation must maintain the integrity of the enclosure as specified in §86.1217–96 over the specified temperature range. Any method of volume accommodation shall limit the differential between the enclosure internal pressure and the barometric pressure to a maximum value of ± 2.0 inches of water. The enclosure shall be capable of latching to a fixed volume. A variable-volume enclosure must be capable of accommodating a ± 7 percent change from its “nominal volume” (see §86.1217–96(b)), accounting for temperature and barometric pressure variation during testing.

(ii) *Fixed-volume enclosure.* The fixed-volume enclosure shall be constructed with rigid panels that maintain a fixed enclosure volume, and meet the following requirements.

(A) The enclosure shall be equipped with a mechanism to maintain a fixed internal air volume. This may be accomplished either by withdrawing air at a constant rate and providing make-up air as needed, or by reversing the flow of air into and out of the enclosure in response to rising or falling